

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CARLOS ABREU # 99A3027,

Plaintiff,

Against

PLAINTIFF'S OPPOSITION
TO DEFENDANTS MOTION
TO REVOKE IFP

BROWN, et al

6:14-CV-06599 EAW

Defendants

CARLOS ABREU # 99A3027 (PLAINTIFF OR MR ABREU)
PURSUANT TO 28 USC § 1746 DECLARES UNDER PENALTY
OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF
AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

- 1) I AM AN INMATE INCARCERATED AT MARCY CORR FAC
UNDER THE NEW YORK STATE DEPARTMENT OF CORRECTIONS
AND COMMUNITY SUPERVISION (NY DOCS)
- 2) I AM THE PLAINTIFF MR ABREU IN THIS ACTION
I AM SUBMITTED THIS OPPOSITION - MOTION TO THE
DEFENDANTS MOTION FOR TO REVOKE THE INFORMAL
POUPERIS (IFP) STATUS GRANTED IN THIS COURT IN
THE ACTIONS ABREU V. BROWN et al AND ABREU
V. HAMILTON et al, CONSOLIDATED WITH ABREU V BROWN
IN THE YEAR 2015.
- 3) ON MARCH 19 2018 DEFENDANTS ATTORNEY MR HILLEL
DEUTSCH HE FILED A MALICIOUS AND IN BAD FAITH
MOTION FOR TO REVOKE MR ABREU IFP STATUS, FOR
TRY TO DELAY THIS CASE THAT HAS ALREADY BE DELAYED
FOR NEARLY FOUR TO FIVE YEARS SINCE 2014-2015.
- 4) MR HILLEL DEUTSCH HAVE ALLEGED IN HIS AFFIRMATION
OR MEMORANDUM OF LAW THAT MR ABREU HAS LONG BEEN
BARRED FROM BRINGING LAWSUITS AS A PAUPER UNDER THE
(1)

Three strikes' PROVISION OF 28 USC § 1915g!
 Due to his EXTENSIVE HISTORY OF FRIVOLOUS
 LAWSUITS.

5) PLAINTIFF ABREU OPPOSITE TO THIS FALSE STATEMENT
 OF DEFENDANTS DEUTSCH, PLAINTIFF ABREU DON'T HAVE
 ANY EXTENSIVE HISTORY OF FRIVOLOUS LAWSUITS.
 MR ABREU GET 3 STRIKES, BASED IN TWO LAWSUITS
 THAT HE FILED ONE AGAINST HIS WIFE ATTORNEYS,
 AND BRONX COUNTY SUPREME COURT JUDGES. AND
 ONE ABOUT PRISONERS LEGAL SERVICES OF NEW YORK
 AND OTHER PRIVATE LEGAL ORGANIZATIONS IN NEW YORK
 IN THAT TIME (10 TO 12 YEARS AGO) MR ABREU
 DON'T HAS ANY KNOWLEDGES THAT HE CANNOT SUE
 PRIVATED PERSONS OR PERSONS WHO ARE IMMUNITY
 TO SUE UNDER 42 USC § 1983. SO, LATELY MR ABREU
 EX-WIFE LEGAL ORGANIZATIONS ARE PRIVATE PERSONS, WHO
 DON'T WORK FOR THE STATE, AND IMMUNITY PERSONS ARE
 JUDGES, COURT CLERKS ETC WHO CANNOT BE SUED UNDER
 42 USC § 1983. IN THAT TIME MR ABREU HE DON'T
 KNOW THAT, STILL THE US SOUTHERN DISTRICT COURT OF
 NEW YORK EXPLAINED ON THIS TO MR ABREU IN A COURT
 ORDER, WHERE THE FEDERAL JUDGE WARNING TO MR ABREU
 OF ONLY SUE TO N.Y.S. DOCS AND N.Y.S. OMH OFFICIALS
 AND SUE TO THEM IN THE RIGHT COURT. MR ABREU APPROACHED
 THE DECISION AND ORDER FOR TO REMOVE THOSE STRIKE
 IN THAT TIME MR ABREU DON'T KNOW WHAT A STRIKE
 MEANS OR WHAT MEAN THE PRISON LITIGATION REFORM ACT
 ALSO 10 OR 15 YEARS AGO, THE PLRA STILL WAS NEW
 AND VERY CONFUSE FOR PRISONERS AND STILL FOR THE
 COURTS AND APPEALS (COURT OF APPEALS). ALSO MR
 ABREU'S ENGLISH SKILL WAS WORSE IN THAT TIME, AND
 LACK OF KNOWLEDGES. SO, WHEN MR ABREU APPEALED
 THE DECISIONS/ ORDERS OF THE SOUTHERN DISTRICT COURT
 THERE WAS WHEN HE RECEIVE HIS THIRD STRIKE. SO
 MR ABREU HE NEVER HAVE RECEIVED ANY STRIKES
 OR ANY DISMISSAL OF FRIVOLOUS LAWSUITS AGAINST
 DOCS AND OMH OFFICIALS. IN THE SOUTHERN DISTRICT
 OF NEW YORK OR IN THE NORTHERN DISTRICT OF NEW YORK
 OR IN THE WESTERN DISTRICT OF NEW YORK, SO, THERE
 ARE NOT ANY EXTENSIVE HISTORY OF FRIVOLOUS LAWSUITS

6) MR. DEUTSCH HAS AN EXTENSIVE HISTORY OF REGULARLY LIE TO THIS COURT. THE HON. JUDGE SIROGUSA CATCH HIM LIE SEVERAL TIME IN THE PRESENT LITIGATION IN ABREU V. FORLEY ETAL. CASE NO. 11-CV-06251 FOR EXAMPLE IN THE YEAR 2011 MR DEUTSCH ALLEGED THAT MR ABREU NEVER HAS GIVE HIM COPIES OF HIS MEDICAL RECORDS, OR AN AUTHORIZATION FORM FOR HE CAN GET COPIES OF MR ABREU MEDICAL RECORDS SO IN A CONFERENCE HEARING. WITH JUDGE MR SIROGUSA MR ABREU COUNSEL WERE ABLE TO SHOW TO JUDGE SIROGUSA THAT MR DEUTSCH LIE ABOUT THIS ISSUES AND THE JUDGE SIROGUSA CALL TO HIM THE ATTORNEYS FOR THIS ISSUES. ALSO THROUGH THE LITIGATIONS OF THE CASE ABREU V. FORLEY ETAL IS MR DEUTSCH HAVE LIE ALOT OF TIME, MAINLY ABOUT MR ABREU LEGAL MATERIALS, THE WHICH CONTINUE CONFISCATEDS AND DEPRIVED TO MR ABREU, AND ALLEGEDLY ALL IT BAGS OF LEGAL MATERIALS CONTINUE IN GREAT MEADOW CF BUT PRISON OFFICIALS IN MARCY CF AND IN THE INMATE GRIEVANCE PROGRAM STAFF HAVE ALLEGED THAT THEY HAVE CONTACTED TO GREAT MEADOW CF OFFICIALS, ABOUT MR ABREU LEGAL MATERIALS AND THAT GREAT MEADOW CF OFFICIALS HAVE ALLEGED THAT THEY DONT HAVE ANY OF MR ABREU LEGAL MATERIALS. SO NO ONE KNOW WHERE MR ABREU LEGAL MATERIALS ARE RIGHT NOW IN VIOLATIONS OF THE COURT ORDER IN ABREU V. FORLEY ETAL (DOCKET NO. 98). ALSO MR DEUTSCH HAS ALLEGED SEVERAL TIME, THAT PER DUCS POLICY AND FOR THE CONVERSATIONS THAT HE HAD WITH PRISON OFFICIALS AND DOCS CENTRAL OFFICE MR ABREU WILL BE ABLE TO EXCHANGE BAGS OF LEGAL MATERIALS, SUCH AS REPORTED TO THIS COURT IN DECEMBER 2015 AND JANUARY /2016. HOWEVER TO THE PRESENT 2018. (APRIL) MR ABREU NEVER WAS ALLOWED TO EXCHANGE ANY BAGS OF LEGAL MATERIALS IN ALL AND CONTINUE TO THE PRESENT TO BE **UNABLE** CAN TO EXCHANGE BAGS OF LEGAL MATERIALS. SO THIS IS A CLEAR PROOF THAT MR DEUTSCH AND DOCS AND PRISON OFFICIALS REGULARLY LIE TO THIS COURT. NOT MR ABREU. ALSO MR DEUTSCH NEVER HAVE BEEN ABLE TO **CAN** TO GET DISMISS ANY OF MR ABREU CASES IN THE MERITS.

7) MR. DEUTSCH ALLEGED THAT MR ABREU HAVE AN EXTENSIVE HISTORY OF FRIVOLOUS LAWSUITS BUT HOWEVER MR DEUTSCH AND ANY ATTORNEY GENERAL OFFICE ASSISTANTS / LAWYERS, WITH ALL THOSE YEARS OF EXPERIENCES AND COLLEGES AND ADVANCED ENGLISH LANGUAGES, NEVER HAVE BEEN ABLES TO GET ANY OF MR ABREU Y2 USC § 1983 COMPLAINTS, DISMISSED IN THE MERITS OR DISMISSED IN SUMMARY JUDGMENT, OR DISMISSED IN TRIALS, IN ALL, THE ONLY THINGS THAT THEY HAVE BEEN ABLES TO DO IS MAYBE TO GET ONE OR TWO CASES IFP STATUS BE REVOKED BUT THAT IS NOT IN THE MERITS OF THE CASE, IFP STATUS IT IS NOT THE CASE OR CLAIMS BUT ONLY A STATUTE. MR. DEUTSCH ONLY CITED THE CASE ABREU V. CIRIA 2014 US DIST LEXIS 141659 17 (N.D.N.Y. APRIL 11, 2014). BUT IN THAT CASE IS VERY DIFFERENT MR ABREU NEVER APPEAL THAT CASE IN TIME BECAUSE MR ABREU HE WAS IN DOWNSTATE CH IN THE MENTAL HEALTH UNIT (MHU) OBSERVATION UNIT FOR 3 MONTHS FROM NOVEMBER 2014 TO JANUARY 2015 SO MR ABREU NEVER RECEIVE THE DECISION AND ORDER OR JUDGMENT IN TIME, SO MR ABREU FILE A MOTION FOR TO VACATE THE DECISION AND ORDER AND JUDGMENT AND FOR RECONSIDERATION, BUT THE COURT NEVER RECEIVE MR ABREU MOTION IT WAS MISSING OR LOST IN THE MAIL, OR PRISON OFFICERS THROW AWAY MR ABREU, OUTGOING LEGAL MAIL, SO WHEN MR ABREU TRY TO APPEAL THE DECISION / ORDER OR JUDGMENT WAS TOO LATER. AND MR ABREU HE IS VERY SURE THAT WITH THE ARGUMENTS IN THAT CASE AND THE SERIOUS AND IMMINENT DANGER THAT MR ABREU WAS SUFFERED THE COURT OF APPEALS FOR THE SECOND CIRCUIT WILL HAVE EASY REVERSED THE JUDGMENT OR DECISION AND ORDER OF THE LOWER COURT (THE NORTHERN DISTRICT COURT) OR AT LEAST ORDERED TO THEY TO ALLOW MR ABREU TO FILE AN AMENDED COMPLAINT. See ABREU V. MR MILLER ETAL 9:15CV 1706 (TJM / CFH) DECISION AND ORDER DKT 28 June 22 2017 (PLAINTIFF DID NOT PAY THE FILING FEE WITHIN THIRTY DAYS OF THE JANUARY 2016 ORDER, AND ON MARCH 22 2016 JUDGMENT WAS ENTERED DISMISSING PLAINTIFF ACTION WITHOUT PREJUDICE IN ACCORDANCE WITH -

- The January 2016, ORDER (DKT. No 12) (THE MARCH 2016 Judgment), Plaintiff filed a notice of Appeals TO THE SECOND CIRCUIT COURT OF APPEALS FROM THE MARCH 2016 Judgment - DKT. NO. 16. BY ORDER DATED JULY 25 2016, ISSUED ON A MANDATE ON AUGUST 30, 2016 THE U.S. COURT OF APPEALS FOR THE SECOND CIRCUIT VACATED THE MARCH 2016 Judgment AND REMANDED THIS ACTION TO THE DISTRICT COURT. DKT. No 19. >

8) BASED IN THE SECOND CIRCUIT DECISION THE NORTHERN DISTRICT COURT HAS STARTED TO GRANT MR ABREU IFF APPLICATIONS PURSUANT TO 28 USC § 1915 (2). See. Abreu v. MR MILLER ETAL CASE # 915 CV 01306. Abreu v. LAKE ETAL 9.17. CV. 01312. DNH. DEP. Abreu v. LAKE ETAL 9.17. CV. 01312 DECISION AND ORDER OF JANUARY 22 2018. ABREU v. DR KOOL ETAL # 14- CV. 1529, NDNY. Abreu v. NURIE LIPKA ETAL # 17-2091 NDNY/USDRE. > THEY NOT ONLY GRANTED IFF STATUS BASED IN THE SECOND CIRCUIT DECISION IN Abreu v. MR MILLER (SUPERINTENDENT MILLER OF GREAT MEADOW CF FROM 2015-2016 INCIDENTS THAT MR ABREU HAS REPORTED TO THIS COURT IN Abreu v. FARLEY THROUGH HIS PRO BONE COUNSEL), BUT BECAUSE AND THE DISTRICT COURT FOR THE NORTHERN DISTRICT COURT JUDGES HAS STARTED TO BELIEVE THAT IN FACT THE DOCS AND PRISON OFFICIALS 'ARE TORTURED' 'ABUSED' ASSAULTED TO MR ABREU DENIED HIM REGULARLY MEDICAL AND MENTAL HEALTH TREATMENTS PLACED TO MR ABREU IN INHUMANE CONDITIONS OF CONFINEMENT IN A CELL FOR LONGER MONTHS AND YEARS WITHOUT CLOTHING SUPPLIES BEHIND A CELL SHIELD DENIED HIM FOODS DENIED HIM LEGAL MATERIALS - TAMPERING WITH HIS PROPERLY LEGAL MAILS DENIED HIM WRITING MATERIALS REGULARLY ASSAULTED HIM OF A FORM PHYSICAL AND SEXUALLY INCLUDE IN FRONT OF WITNESSES INMATES VIDEO CAMERAS WRITING MR ABREU A LOT OF FORES, OR MANIPULATE MISBEHAVIOR REPORTS IN RETALIATIONS OR FOR TRY TO COVER UP STAFF MISCONDUCTS AND ABUSES. SO FEDERAL JUDGES THEY ARE NOT STUPIDS OR IGNORANTS, THEY STARTED TO SEE THAT THERE IS SOME THINGS, WRONGS, IN THE MISCONDUCTS AND THE

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- PERSECUTIONS AND MISTREATMENTS OF PRISON OFFICIALS/DOCCO OFFICIALS AGAINST MR ABREU. INCLUDING DENIAL OR DENIED TO MR ABREU RELEASE AND DEPORTATION TO HIS COUNTRY DOMINICAN REPUBLIC, BUT RATHER OR INSTEAD THEY HAS PLACED TO MR ABREU UNDER CIVIL COMMITMENT/CONFINEMENT, SO FEDERAL JUDGES LOOK ALL THIS AND START TO THINKING YES, THIS INMATE IS UNDER IMMINENT DANGER. THE SAME THINGS THE SECOND CIRCUIT COURT OF APPEALS THAT REGULARLY GRANT MR ABREU IFP APPLICATIONS, THEY STARTED TO LOOK CLEARLY THAT WHAT MR ABREU IS SAYING OR EXPLAINED OR WRITING ABOUT PRISON OFFICIALS AND DOCCO AND HIS CONDITIONS OF CONFINEMENTS IN DOCCO AND DOCCO MISCONDUCTS AGAINST MR ABREU IS A TYPE OF PERSONAL ISSUES AGAINST MR ABREU, THAT PLACED HIM IN IMMINENT DANGER. SO MR ABREU CASES AND/OR APPEALS ARE NOT FRIVOLOUS, AND MR DEUTSCH HAS CLEARLY FAILED TO SHOW ANY PROOF OR ANY EVIDENCES OF ANY EXTENSIVE HISTORY OF FRIVOLOUS LAWSUITS TO THIS COURT AND TO THE NORTHERN DISTRICT COURT OF NEW YORK, OR TO THE SECOND CIRCUIT COURT OF APPEALS. AND LIKE MR ABREU, EXPLAINED ABOVE MR DEUTSCH OR N.Y.S. ATTORNEY GENERAL OFFICE OR DOCCO OR PRISON OFFICIALS, NEVER HAS WON ANY, 42 USC § 1983 COMPLAINTS OF MR ABREU, IN THE MERITS IN ANY COURTS (FEDERAL OR IN THE STATE COURTS), SO, HOW CAN THIS LAWSUITS UNDER 42 USC § 1983 TO BE FRIVOLOUS IF THEY NEVER HAVE WON ANY IN ALL IN THE MERITS?

9) MR. DEUTSCH ALSO HAVE ALLEGED TO THIS COURT THAT INITIALLY THIS COURT DENIED MR ABREU IFP STATUS IN ABREU V. BROWN ETAL 14-CV-0599, (DOCKET 7) BUT HOWEVER, THE COURT ULTIMATELY REVERSED THIS DECISION AND GRANTED IFP STATUS, NOTING THAT PLAINTIFF HAD PRO DANGER OF SERIOUS INJURY AND SUCH PLEADING WAS SUFFICIENT TO MEET THE REQUIREMENTS FOR A STATUTORY EXCEPTION TO THE THREE STRIKES RULE (DOCKET NO. 21). HE ALLEGED THAT AS DETAILED BELOW, MERELY PLEADING IMMINENT DANGER IS INSUFFICIENT; AND THAT IT CITILIZED A COURT MUST MAKE A FINDING AS TO WHETHER THE IMMINENT

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- Donger Plea has sufficient basis in fact to continue the Forfeiture of IFP Status. Mr. Abreu disagree with Mr. Deutsch because upon information and believe IFP Application was initially denied only because Mr. Abreu forget to send to the court the IFP Application or the authorization form or the clerk of the court don't received the IFP form or authorization form along with the complaint, so the court closed the case administratively for 30 days for to reopen the case back after Mr. Abreu file the IFP Application or authorization form or pay the \$400.00 dollars. Then Mr. Abreu responded to the court order by filing the IFP Application and authorization form so the court opened back the case. And after to review the complaint and the serious claims that fall east in the Imminent Danger pursuant to 28 USC § 1915(g). granted IFP status. Similar issues happened in Abreu v. Lake et al 9:17-cv-1312 NDNY. Mr. Abreu sent a 42 USC § 1983 complaint to the NDNY but the clerk of the court alleged that they don't received the IFP Application and authorization form the court closed the case administratively for 30 days until Mr. Abreu file the IFP Application and authorization form in December 2017. After Mr. Abreu filed the authorization form and IFP Application the court opened back the case, and reviewed the complaint, and the 3 strikes issues alleged that Mr. Abreu, get the 3 strikes in Abreu v. Supreme Court of Bronx County et al No. 10 CV 1310 Feb/18/2010. And Abreu v. Disability Advocates Inc No. 09-cv-6306 (SDNY filed on July/15/2009) and in the same cases when he tried to approach the both case in the Second Circuit Court Appeals.

10) However on January 22, 2018 the court of the Northern District Court determine in Abreu v. Lake 9:17-cv-1312 that Abreu in fact was suffering Imminent Danger and granted IFP status, such as Mr. Abreu has explained above, so this is the way that the federal courts work in New York state, about IFP Requests.

11) MR DEUTSCH HAVE ALSO ALLEGED THAT MR ABREU MERELY PLEADING IMMINENT DANGER. IN HIS COMPLAINT SO THIS IS INSUFFICIENT; HOWEVER MR DEUTSCH ALLEGATIONS ARE NOT TRUE IN ALL MR ABREU FILED THE COMPLAINT IN THIS COURT IN 2014 IN THE CASE ABREU V. BROWN ETAL. 14 CV 6599 WHILE THIS COURT WAS REVIEWED ABREU V. BROWN CASE. MR ABREU V. FILED ALSO THE CASE ABREU V. HAMILTON ETAL. REPORTING THAT C.O. HAMILTON ALONG WITH OTHERS C.O.S/GUARDS WERE BURNING MR ABREU WITH HOT WATERS. DENIED FOODS DENIED MEDICAL ATTENTIONS TO HIS INJURIES ALSO TURNED OFF HIS CELL WATERS WETTING HIS LEGAL MATERIALS WITH HOT WATERS - AND THAT SUPERVISORS AND SUPERINTENDENTS WERE AWARE OF ALL THIS - INCLUDING THE UNIT CHIEF MR ABREU ALSO WROTE A LETTER TO THE JUDGE SIROGUSA EXPLAINED ALL THIS SO BOTH CASES WERE CONSOLIDATED IN ONE CASE THE LETTER WAS ALSO ATTACHED SUCH AS ON SUPPLEMENTAL COMPLAINT. AND THE CASE WAS ASSIGNED TO THE HON. JUDGE MS. ELIZABETH A WOIFORD WHO REVIEWED THE COMPLAINT GRANTED IFP APPLICATION BASED IN THE EXPLAINED IN THE COMPLAINT AND LETTER SENDING TO HON JUDGE SIROGUSA AND BASED IN THE SECOND CIRCUIT DECISION IN CHAVIS V. CHORPUS 618 F.3d 162, 165 (2d CIR 2010). THE TERM "SERIOUS PHYSICAL INJURY" IS NOT DEFINED IN § 1915(g). THE SECOND CIRCUIT HAS DESCRIBED THE NATURE OF THE COURT'S INQUIRY INTO WHETHER THE ALLEGATIONS QUALIFY ~~FOR~~ THE EXCEPTION.

THE SECOND CIRCUIT HAS DESCRIBED THE NATURE OF THE COURT'S INQUIRY REGARDING IMMINENT DANGER AS FOLLOWS: ALTHOUGH THE FEARED PHYSICAL INJURY MUST BE SERIOUS WE SHOULD NOT MAKE AN OVERLY DETAILED INQUIRY INTO WHETHER THE ALLEGATIONS QUALIFY FOR THE EXCEPTION BECAUSE OF 1915(g). CONCERNS ONLY A THRESHOLD PROCEDURE (PROCEDURAL) QUESTION, WHILE SEPARATE PLRA PROVISIONS ARE DIRECTED AT SCREENING OUT MERITLESS SUITS EARLY ON. (CHAVIS V. 618 F.3d AT 169 (QUOTING ANDREWS V. CERVANTES 493 F.3d 1047 1057 9th CIR 2007)). AND IF A PLAINTIFF ADEQUATELY ALLEGES IMMINENT DANGER ON SOME CLAIMS, THE ACTION MAY PROCEED

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— ON ANY OTHER CLAIMS CONTAINED IN THE SAME COMPLAINT. EVEN THOUGH THEY MAY LOCK A TRAP TO IMMINENT DANGER, CITING 618 F3d AT 171.

12) THE HON. JUDGE MS. WOIFORD, SHE ORDERED THEN TO MR ABREU TO FILE AN AMENDED COMPLAINT FOR TO PUT TOGETHER BOTH CASES ABREU V. BROWN AND ABREU V. HAMILTON IN ONE SINGLE LAWSUIT/ COMPLAINT. THE WHICH MR ABREU DID IN THE YEAR 2016. **BASED** IN THE COURT ORDER OF THE YEAR 2015. THEN IN JANUARY/2016, THIS COURT ORDERED TO THE U.S. MARSHAL TO SERVE COPIES OF THE SUMMONS AND COMPLAINT, UPON SEVERAL DEFENDANTS INCLUDING UPON THE N.Y.S. ATTORNEY GENERAL OFFICE THE WHICH ACCEPTED THE SERVICES IN BEHALF OF THE DEFENDANTS SO BASED IN ALL THIS SUCH AS EXPLAINED ABOVE THIS IS VERY CLEAR, THAT MR ABREU DON'T MERELY PLEADING IMMINENT DANGER AND THE COURT ALREADY HAVE MAKE A FINDING THAT MR ABREU, WAS IN FACT IN AN IMMINENT DANGER,

13) MR. DEUTSCH HAVE ONLY MOVED TO REVOKE THE IFP STATUS ABOUT THE MEDICAL CONDITIONS FROM 9/22/2014 TO 10/29/2014. WHEN THE COMPLAINT IS FROM JULY/2014 TO MARCH 2015, AND THE COMPLAINT AND CLAIMS AND IMMINENT DANGER ARE NOT ONLY ABOUT RECTAL BLEEDING OR RIGHT HAND FRACTURE OR BACK PAIN THE CLAIMS OF IMMINENT DANGER IS ALSO ABOUT THROWSING OF HOT WATERS, THREATING OF PHYSICAL INJURIES AND DEATH, DENIAL OF FOODS DENIAL OF MEDICAL CARE, ATTENTIONS AND TREATMENTS DENIAL OF MENTAL HEALTH SERVICES DENIAL OF MEDICATIONS ETC. SO, MR. DEUTSCH ONLY HAVE MOVED TO THE CLAIMS ABOUT DENIAL OF T.B. (TUBERCULOSIS) MEDICATIONS AND TREATMENTS AND SOME MEDICAL ISSUES AND HE DON'T HAVE SPECIFICATED IN WHAT DEFENDANTS HE HAVE MOVED, WHEN THERE ARE SEVERAL DEFENDANTS TOO.

14) MR. DEUTSCH USED TO THE DOCTOR KARANDY FOR TO DO A DECLARATION OR FOR TO MAKE A DECLARATION AGAINST MR. ABREU, IFP STATUS, THE WHICH MR ABREU

- DON'T SURPRISED IN ALL, MR ABREU KNOW PERSONALLY TO THE DR KARANDY HE WORK IN 'GREAT MEADOW CF' AND MR ABREU, HAS SEVERAL PENDENTS LAWSUITS AGAINST DR KARANDY PENDENTS IN THE NORTHERN DISTRICT COURT AND SECOND CIRCUIT COURT OF APPEALS, IN CASES SUCH AS ABREU V MAPLE KIMBERLY LIPKA ETAL (ABREU V. LIPKA ETAL 9'16-CV-0776, AND ABREU V LIPKA ETAL # 17-2091

15) DR KARANDY, HAS A BAD RECORDS OF CORRUPTIONS, MEDICAL PRACTICES, MEDICAL NEGLIGENCE, AND MEDICAL DELIBERATE INDIFFERENCE, WHILE WORKING OUTSIDE AND INSIDE OF THE PRISONS (DOCS PRISONS) MANY INMATES HAS ALSO SUED TO HIM IN COURTS STATE AND FEDERAL COURTS AND HE HAVE BEEN UNDER INSPECTOR GENERAL OFFICE (OFFICE OF SPECIAL INVESTIGATIONS) INVESTIGATIONS ALOT OF TIME IN HIS RECORDS HE HAS A LONGER LOGS RECORDS OF GRIEVANCES AND COMPLAINTS FILED BY MULTIPLE DIFFERENTS INMATES THROUGH THE YEARS WHILE WORKING ALSO IN GREAT MEADOW CF ALSO IN THE YEAR 2016 BETWEEN JANUARY 2016 TO JUNE 2016 AN INMATE DIED IN THE SPECIAL HOLDING UNIT (SHU) WHEN THE DR KARANDY AND MEDICAL NURSES DENIED PROPER DR ORGANOATED MEDICAL CARE, ATTENTIONS AND TREATMENTS TO THIS INMATE I WROTE MULTIPLES COMPLAINTS ABOUT THAT ISSUES AND DEATH OF THAT INMATE TO OUTSIDE ORGANIZATIONS (LEGAL ORGANIZATIONS AND THE DISABILITY RIGHTS OF NEW YORK & ORDER AGENCIES STARTED ON INVESTIGATIONS AND INTERVIEWS TO MANY INMATES ABOUT DR KARANDY AND MEDICAL NURSES MISCONDUCTS AGAINST THE SHU INMATES AND BITH PROGRAM INMATES ALSO LOCATED IN GREAT MEADOW CF, THE DR KARANDY, IS A CORRUPT HE ALWAYS IS COVERING UP GUARDS/C.O.s AND SUPERVISORS/SGTS ABUSES, LAWSUITS MISCONDUCTS AND MISTREATMENT AGAINST PRISONERS. WHILE I WAS IN GREAT MEADOW CF, I WAS PHYSICALLY AND SEXUALLY ASSAULTED IN OCTOBER 2015 AND IN FEBRUARY 2017, IN BOTH CASES, DR KARANDY WAS ALSO ASSIGNED TO EXAMINE ME, PERSONALLY BECAUSE HE IS ALSO THE FACILITY HEALTH SERVICE DIRECTOR AT GREAT MEADOW CF IN BOTH INCIDENTS HE COVERED MY INJURIES ON MY BODY AND ANUS RECTAL, AND HE TOLD ME THAT HE HAS FURTHER KNOWLEDGES # (10)

ABOUT MY PENDING LAWSUITS IN THE CASE ABRAHAM V FARLEY ETAL # 11 CV 06251, BECAUSE DOCS CENTRAL OFFICE CHIEF MEDICAL OFFICER / DEPUTY COMMISSIONER DR. KORNIGSMANN AND PRISON OFFICIALS HAS ADVISED HIM OF THIS LAWSUIT, IN THE WESTERN DISTRICT COURT AGAINST DOCS, SO, HE TOLD ME THAT HE WAS DIRECTED AND ORDERED DON'T GIVE ME NOTHING. HE CANNOT DENIAL THAT HE HAD THAT CONVERSATIONS WITH DOCS CENTRAL OFFICE OFFICIALS AND DR KORNIGSMANN IN MY MEDICAL RECORDS AND IN A MEMO - E-MAIL AND IN A GRIEVANCE COMPLAINT FILED AGAINST HIM FOR DENIAL ME MEDICAL CARE, ATTENTIONS AND TREATMENTS REGARDING TO MY SEXUAL AND PHYSICAL ASSAULTS IN THE HANDS OF C.O.S AND SGTs. HE ALLEGED THAT HE PERSONALLY CONTACTED TO THE DR KORNIGSMANN IN DOCS CENTRAL OFFICE FOR TO ASK FOR DIRECTIONS OF SEND ME DR. NOT TO AN OUTSIDE HOSPITAL FOR EXAMINATIONS, TO MY INJURIES, BUT THAT THE DR KORNIGSMANN TOLD HIM DON'T SEND ME TO AN OUTSIDE TWO WEEKS AFTER I WAS TRANSFERRED OUT OF GREAT MEADOW CF ON MARCH 03 2017 TO FIVE POINTS CF IN AN EMERGENCY. SO THE DR. KARANDY HE IS THE WRONG PERSON FOR TO MAKE A DECLARATION AGAINST ME IN THIS CASE IN ABRAHAM V. BROWN ETAL. ALSO THE DR KARANDY, HE WORK FOR DOCS AND PRISON OFFICIALS SO PART OF HIS ASSIGNED JOB AND DUTY IN DOCS / PRISONS IS TO DEFENDER DOCS INTERESTS AGAINST ANY INMATE LAWSUITS. LOOK EVEN IF HE WANTED TO SEND ME TO AN OUTSIDE HOSPITAL FOR EXAMINATIONS IN FEB/2017 THE DOCS AND PRISON OFFICIALS TOLD HIM NO AND HE FOLLOW THAT. SO NO MATTER IF HE GRADUATE OF ALBANY MEDICAL COLLEGE NO MATTER IF HE COMPLETED 5 YEARS OF POST-GRADUATE SURGICAL TRAINING, AND NO MATTER HE IS A BOARD CERTIFIED BY THE AMERICAN BOARD OF SURGERY AND NO MATTER IF HE HAVE BEEN PRACTICING MEDICINE AND TREATING PATIENTS FOR 27 YEARS. WHEN DOCS TELL HIM NO IS NO AND WHEN DOCS TELL HIM TO WRITE A DECLARATION AGAINST ANY INMATE LAWSUITS AGAINST THE DOCS AND PRISON OFFICIALS, HE IS OBLIGED OR FORCED TO DO SO, THE WHICH IS PART OF HIS CONTRACT. EVEN IF HE NEED TO LIE IN THOSE AFFIRMATIONS AND HE HAVE DOING SO FOR MANY YEARS TOO. SO, I COMPLETELY OPPOSE, OBJECT, AND DISAGREE WITH THE DECLARATION.

16) THE DR KARANDY DECLARED TOO IN HIS DECLARATION THAT MR ABREU REFUSED HIS PROPHYLACTIC TUBERCULOSIS MEDICATIONS, WHEN THIS MEDICATIONS WERE OFFERED TO HIM AND THAT PLAINTIFF WAS NOT IN IMMINENT DANGER OF SERIOUS HARM. MR ABREU HE DISAGREE (1) THE DR KARANDY HE IS NOT A JUDGE HE IS NOT A FEDERAL COURT FOR DETERMINE IF MR ABREU QUALIFY OR NOT FOR 28 USC § 1915 (g) IMMINENT DANGER, EVEN THE FEDERAL COURT OF APPEALS SUCH AS THE SECOND CIRCUIT HAS EXPLAINED CLEARLY IN CITIZEN V. CHAPMAN AND OTHER LAWSUITS REGARDING IMMINENT DANGER THAT ALTHOUGH THE REQUIRED PHYSICAL INJURY MUST BE SERIOUS THE COURTS AND JUDGES SHOULD NOT MAKE AN OVERLY DETAILED INQUIRY INTO WHETHER THE ALLEGATIONS QUALIFY FOR THE EXCEPTION BECAUSE § 1915 (g) CONCERNS ONLY A THRESHOLD PROCEDURAL QUESTION. (CHAM 618 F.3d AT 169), ALSO FOR AN INMATE TO MEET THE "SERIOUS PHYSICAL INJURY" REQUIREMENT THE THREATENED INJURY NEED NOT BE AS SERIOUS AS TO BE AN EIGHTH AMENDMENT VIOLATION IN AND OF ITSELF. see e.g. CIDRPOGLINIS V. JOINI 352 F.3d 328, 330-31 (7th Cir 2003) Gibbs v. Cross, 160 F.3d 962, 964 (3d Cir 1998).

17) MOREOVER TUBERCULOSIS (T.B.), BOTH ACTIVE AND LATENT T.B. ARE SERIOUS MEDICAL NEEDS. see e.g. MADONADO V. TERHUNE 28 F.Supp.2d 284 290 (D.N.J. 1998). IF AN INMATE WITH ACTIVE OR LATENT T.B. DON'T TAKE THE MEDICATIONS THEY CAN BECOME SERIOUSLY ILL, AND MAY EVEN DIE. AND DRUG RESISTANT T.B. CAN DEVELOP IF PEOPLE WITH WITH ACTIVE T.B. OR LATENT T.B. TAKE THEIR MEDICINE INCORRECTLY OR IF THEY HAVE NOT BEEN GIVEN THE RIGHT T.B. MEDICINES. see e.g. NEW YORK CITY DEPARTMENT OF HEALTH FACT SHEET ON TUBERCULOSIS, AVAILABLE ON ITS WEB SITE AT WWW.NYC.GOV/HTML/doh/html/tb/-facts.shtml (LAST VISITED FEB/06/2010) PRISON OFFICIALS HAVE BEEN FOUND DELIBERATE INDIFFERENCE IN FAILING TO RESPOND TO TUBERCULOSIS. see e.g. DEGIDIO V. PUNG, 704 F.Supp.2d 922 937-51, 956-59 (D. MINN. 1989) ALSO see HILL V. MARSHALL, 962 F.2d 1209, 1213-15 (6th Cir 1992) (AWARDING DAMAGES FOR INCREASED RISK OF T.B. RESULTING FROM FAILURE TO INSURE THAT PRISONER —

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- WITH POSITIVE TB TEST RECEIVED MEDICATION > THIS CASE IS VERY SIMILAR TO MR ABREU CASE, MR. MILLER WAS IN PRISON, HE RECEIVE A QUANTIFERON TB TEST IT COME POSITIVE < WHAT IT CALLED A LATENT TB. > HE WAS PLACED IN PROPHYLACTIC TUBERCULOSIS MEDICATION FOR SEVERAL MONTHS, BUT THE MEDICAL NURSE(S) WERE FAILED TO DELIVERY OR GIVE HIM HIS T.B. MEDICATIONS HE FILED A 42 USC § 1983 COMPLAINT HE WIN HIS CASE THE JURY AND THE COURT OF APPEALS, FOUND THAT EVEN HE DONT HAVE A ACTIVE T.B., THE DENIAL OF HIS T.B. MEDICATIONS, "INCREASED THE RISK OF TB"

18) IN MR ABREU CASE MR ABREU, HE WAS CONFINED TO THE SITTING BEHIND A PLEXIGLASS / CELL SHIELD FOR LONGER MONTHS, WITH LOCK OF AIR AND VENTILATIONS, AND ALL APPEAR THAT IN THE GALLERY WHERE MR ABREU WAS HOUSED THERE WAS AN INMATE WITH ACTIVE T.B., WHO PASSED IT DISEASE TO MR ABREU THOUGH THE AIR SNEEZED AND COUGHED SO, THE T.B. GERMS FLEW TO MR ABREU CELL AND FOR LOCK OF VENTILATIONS AND AIR MR ABREU CATCHED THE T.B. DISEASE. SO, WHEN A QUANTIFERON T.B. TEST WAS CONDUCTED IN MR ABREU IT COME BACK NEGATIVE. MR ABREU WAS NEGATIVE T.B. BEFORE THE PLEXIGLASS / CELL SHIELD WAS PLACED IN HIS CELL. & T.B. TEST QUANTIFERON COME BACK POSITIVE T.B. AFTER HE WAS BEHIND A CELL SHIELD, AND MR ABREU WAS THE ONLY INMATE WHO WAS BEHIND A CELL SHIELD AND THE REST OF THE INMATES DONT CATCHED IT T.B. LATENT DISEASE SO THIS IS VERY CLEAR THAT MR ABREU WAS IN AN IMMINENT DANGER AND IN RISK OF INCREASED ACTIVE T.B. WITHOUT HIS MEDICATIONS THAT WERE PRESCRIBED FOR TO BE TAKE FOR 9 MONTHS DAILY. SO DR KARANDY ALLEGATIONS THAT MR ABREU HE DONT WAS IN RISK OF ACTIVE T.B. FOR FAILED TO TAKE MEDICATIONS, IS ARBITRARY CORRUPT AND AN OPEN DELIBERATE INDIFFERENCE TO MR ABREU MEDICAL NEEDS, EVEN IF THIS DENIAL WAS TEMPORARILLY OR NOT NO ONE KNOW IF DOES WILL GO TO TRANSFER MR ABREU OUT OF WANDER OF SITTING TO OTHER SITTING IN THE TIME THAT MR ABREU FILED BOTH LAW SUITS, SO MR ABREU CLEARLY WAS IN AN IMMINENT DANGER.

14) Additionally in the medical records that MR DEUTSCH attacked such as exhibits, the nurse she wrote on 10/03/14. 9:00 PM. That I report to she that I am not refusing my T.B. medications but that I don't will go to put a suit for I can't to get my T.B. meds so, MR ABREU was refused to wear the suit, but not his medications, she wrote that the procedures about the suit come by SUPERINTENDENT AND DSS MR BROWN. She wrote about the consequences and danger to health of not taking T.B. medications. On 10/09/2014 MR ABREU was placed in a T.B. hold and referral were sent to Mental Health (OMH) AND NURSES & she report that per security staff (COS) MR ABREU was refused to wear the suit not his medications the same on 10/13/2014. 9: PM. MR ABREU was also denied of see to a mental health unit doctor (MHN DOCTOR) on 10/15/2014 time 9:15 AM due to the suit issue. On 10/18/2014 time 8:30 AM, sick call service was denied to MR ABREU due to the suit issue. On 10/20/2014 time 8:45 AM also denied of sick call service on 10/20/2014 denied of his T.B. meds due to the suit issue, on 10/22/2014 time 10:00 the DR. M.J. LEWIS, was allowed to work front MR ABREU cell along with the medical nurse without MR ABREU, wear the suit outside of his cell, (the suit cannot be wearing inside the cell only out side of the cell). MR ABREU HE explained about the T.B. medications sick call issue, about his hand pain and problems a colonoscopy due to hemorrhoidal problems, & about of the suicidal attempts in the past and discussed importance regarding of take the T.B. medications, and that MR ABREU states that he will comply with the treatment (9 months of medications for T.B.) etc. She never asked to MR ABREU if he was coughing, or night sweats or if he have lost weight. On 10/09/2014 time 9: PM the nurse wrote that per security staff MR ABREU is not coughing, night sweats or visible wt losses but however COS / GUARDS they are not doctors, and don't have any medical education, so they are not qualified, for determine

IF MR ABRAHAM IS SICK OR NOT, SO MEDICAL STAFF ONLY WROTE WHAT SECURITY STAFF (C.O.S) TOLD TO THEM. IN MR ABRAHAM EXPERIENCES GUARDS/ C.O.S IN THE SHU DON'T CARE NOTHING THEY DON'T CARE IF AN INMATE IS SICK OR NOT THEY ALWAYS WILL GO TO REPORT THAT THE INMATE IS OK THAT THEY DON'T SEE NOTHING WRONG. BUT THE SAME HAPPENED IN JANUARY. FEBRUARY 2015 IN GREAT MEADOW C.I.F SHU WITH THE INMATE WHO DIED THE C.O.S WERE MAKING ROUNDS, THEY SAW TO THIS INMATE IN NIGHT TIME SWEATING ALOT AND COUGHING AND OTHER SYMPTOMS THE C.O.S REPORTING THAT THE INMATE WAS OK, AND NEXT DAY THE INMATE WAS DEAD. IF THE FAMILY OF THAT INMATE SUE TO THOSE OFFICERS, THEY WILL GO IMMEDIATELY ALLEGED THAT THEY DON'T HAVE ANY MEDICAL EDUCATIONS OR THEY ARE NOT NURSES OR DOCTORS, THAT THEY ONLY ARE SECURITY STAFF. SUCH AS THEY HAVE DO ALOT OF TIME, OR ALLEGED ALOT OF TIME IN MANY LAWSUITS.

20) ON 10/10/2014 NURSE REPORT THAT MR ABRAHAM REFUSED TO COME OUT OF CELL (TO PUT THE SUIT) FOR SICK-CALL. PER SGT. MARIA NO SICK CALL GIVEN THE SAME ON 10/13/2014 (INMATE REFUSING TO PUT ON EXPOSURE SUIT TO COME OUT OF CELL FOR MEALS THE REFUSAL FORM COMPLETED), THE SAME ON 10/23/2014 9:15 AM, REFUSED SICK CALL AND TO GET SUITED UP AND COME OUT OF CELL. 9:15 AM, THE SAME ON 10/25/14 9:00 AM. REFUSED SICK CALL AND TO GET SUITED UP AND COME OUT OF CELL. THE SAME ALSO ON 10/27/2014 10:00 AM AND 10/29/2014 TIME 9:30 AM. THE SAME ON 10/18/2014 8:30 AM 10/20/2014 8:45 AM AND 10/20/2014. HOWEVER FOR THE RECORDS MR ABRAHAM HE DON'T WAS REFUSED TO GET OUT OF THE CELL FOR SICK CALL, OR FOR TO TAKE MEDICATIONS HE DON'T WAS REFUSED HIS MEDICATIONS OR SICK CALL SERVICES NEITHER, HE WAS ONLY DECLINED OR TO WEAR THE SUIT. WHY? BECAUSE IN WARDEN C.F SHU SUCH AS IN ALL SHU(S) STATE WIDE THE SICK CALL SERVICES AND MEDICATIONS ARE CONDUCTED CELL DOOR SIDE NURSES ESCORTED BY MALE GUARDS, MAKE ROUNDS DAILY CONDUCTED SICK CALL AND ~~DELIVERED~~ DELIVERED MEDICATIONS CELL SIDE DOORS TO INMATES, SUCH AS THE DOCU POLICIES IN WARDEN C.F AND OTHER SHU DO. SECOND INMATE IN THE SHU(S),

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-- They always are handcuffed behind back any time they get out of the cell or whenever time they need to exit the cells so where of guards/sgrs they want to handcuff Mr. Abreu behind back plus to put also the suit with a lock behind neck that provoke pain and choking sensations and discomfort so the suit was placed in Mr. Abreu for security concerns or reasons for good conducts this was for try to humiliate and embarrassment to Mr. Abreu in front of staff, nurse, c.s. guards and others inmates. Because why Mr. Abreu need to wear a suit when he is handcuffed behind back? How he will to committed or to exposure his private parts to staff, nurse etc if he is handcuffed behind back? also for sick call & medications Mr. Abreu don't need his hands nurse will put the medications in Mr. Abreu mouth and give him waters, such as they were doing when inmate was wearing the suit plus handcuff behind back but Mr. Abreu stop or stopped to wear it suit because it don't have any sense in all. The misconducts of the defendants were clearly deliberate indifference to Mr. Abreu life, health, welfare, safety, care, and well-being. The state of New York (DOCS) has an obligation to protect the health and welfare of the inmate see VON HOIDEN v. CHAPMAN 87 AD2d 66 (4 Dept. 1982) MARTINEZ v. TURNER, 977 F2d 421 (1992) the prison officials an obligation to protect an inmate's life or **PERMANENT** health is in danger, because an inmate don't have a constitutional rights to self harm to deteriorate his physical health or conditions or to die so the state has an obligation to prevent self harm, see DOCS Directive # 4309, Directive # 4004 AND ACA Expected Practices 4-4224, 4-4281 AND 8th Amend. AGTS

21) DEFENDANTS ATTORNEY'S MR. DEUTSCH AND THE DR. KARANDY, ALLEGED IN THE MEMORANDUM OF LAW AND IN THE DECLARATION THAT MR. ABREU IS REQUIRED TO WEAR A SUIT BECAUSE OF HIS HABIT OF EXPOSING HIMSELF TO NURSES, AND THAT AN EXPOSED SUIT PREVENTS AN INMATE FROM EXPOSING HIMSELF AND COMMITTING ACTS OF SEXUAL --

- Harassment Against Nurses And Other STAFF MEMBERS. MR Abreu Disagree, AND object AND OPPOSE TO THIS ARBITRARY AND COERCIOUS ALLEGATIONS AGAINST HIM WHAT MR DEUTSCH AND DR KARANDY STATED IS COMPLETELY FALSE, MANIPULATE AND EXAGGERATED OR FABRICATED, BECAUSE (1) THE EXHIBITS ABOUT MEDICAL RECORDS PROVIDED BY THE DEFENDANTS NO NURSES AND DOCTOR ALLEGED NOTHING ABOUT GOOD CONDUCTS OF MR Abreu STATED TO TRY, (2) MR Abreu HE DON'T WAS PLACED IN THE SUIT BECAUSE NURSE IN WARDEN OF THIS WAS BECAUSE AN INCIDENT HAPPENED IN A DISCIPLINARY HEARING OFFICE, WHERE THE HEARING OFFICER ALLEGED THAT MR Abreu EXPOSED TO HER WHEN SHE WAS CONDUCTED THE HEARING. (3) MR Abreu WAS IN WARDEN OF SHU FROM JULY 2014 TO MARCH 2015 AND NO NURSES OR MEDICAL STAFF IN NO TIME ALLEGED OR REPORT OR WROTE A TICKET OR WROTE IN MEDICAL RECORDS NOTHING ABOUT GOOD CONDUCT, FROM MR Abreu. (4) MR Abreu WAS TRANSFERRED FROM WARDEN OF SHU TO SULLIVAN OF SHU IN MARCH / 2015 AND FROM SULLIVAN OF SHU TO GREAT MEADOW OF SHU IN OCTOBER 2015 AND FROM GREAT MEADOW OF SHU TO GREEN HAVEN OF SHU IN AUGUST 2016 AND FROM GREEN HAVEN OF SHU TO UPSTATE OF SHU IN NOVEMBER 2016 AND FROM UPSTATE OF SHU TO GREAT MEADOW OF BHM PROGRAM, AND MARCH / 2017 TO FIVE POINTS OF RMTM - GTP PROGRAM AND FROM FIVE POINTS OF GTP TO MARCY OF RMTM PROGRAM. AND IN NO TIME IN THOSE SHU OR IN ANY OTHER SHU OR PROGRAMS OF GTP, RMTM, BHM. INNOTE MR Abreu NEVER WAS REQUIRED TO WEAR A SUIT FOR SICK CALL SERVICES IN THE UNIT OR FOR HE CAN TO GET OR RECEIVE HIS MEDICATIONS, ALL SICK CALL SERVICES WAS ALL CONDUCTED CELL DOOR SIDE SUCH AS ARE THE POLICIES, AND PROCEDURES, AND IN FIVE POINTS OF SHU, GTP, RMTM PROGRAM IN 2017 FROM MARCH TO OCTOBER 2017 THE FACILITY ADMINISTRATION GAVE TO MR Abreu THE OPTIONS OR ALTERNATIVE OF WEAR THE SUIT OR BE HANDCUFFED ONLY BEHIND HIS BACK, FOR ALL CALL-OUT ALL INTERVIEWS FOR ALL HEARINGS, VIDEO CONFERENCE WITH THE CELL OR ATTORNEY'S ~~But~~, SO, MR Abreu TOOK, THE CHOICE OR THE ALTERNATIVE OF BE HANDCUFFED BEHIND HIS BACK ONLY IF NO SUIT.

- So MR DEUTSCH, LIED AGAIN TO THIS COURT, ALONG WITH THE DR KARANDY, THE WHICH IT NOT SURPRISE FOR MR ABREU.

22) MR DEUTSCH, HE HAS ATTACKED A COPY OF MR ABREU'S DISCIPLINARY HISTORY RECORDS. THAT EXHIBITS ARE NOT ADMISSIBLE SUCH AS EVIDENCE TO NOTHING, BECAUSE, MANY OF THOSE TIME AND HEARINGS OR ALL ARE PENDENTS IN THE COURTS SUCH AS IN THIS COURT IN NORTHERN DISTRICT COURT IN MANY PENDENT ARTICLES & PETITIONS IN MANY STATE COURTS (SUPREME COURT), COURT OF APPEALS APPELLATE DIVISION, SO BECAUSE ALL AND EACH OF THOSE TICKETS HEARINGS CHARGES ETC ARE PENDENTS IN THIS COURT AND OTHER MANY COURTS AND IN APPEALS, SUCH ALLEGED EVIDENCE WERE NOT BE ADMISSIBLE. MR ABREU HAS COPIES OF VIDEO TAPE RECORDS THAT MANY OF THOSE TICKETS OF LEWD CONDUCTS ARE FALSE, AND FALSIFICATIONS AND WRITTEN AGAINST MR ABREU MANY TIME IN RETALIATIONS FOR MR ABREU GRIEVANCES OR LETTER OF COMPLAINTS OR CONSUITS AGAINST STAFF E.G.S NURSES OFFICERS, ADMINISTRATION ETC FOR EXAMPLE ON 5/05/2014 TIME 8:00 AM, AT AUBURN CF SITE THE C.O. MR HOOVER HE WROTE A MISBEHAVIOR REPORT AGAINST MR ABREU ALLEGED THAT WHEN HE WAS MAKING POUNDS, HE OBSERVED IN MR ABREU NAKED AND MASTURBATING ON HIS BED, AND AFTER THAT MR ABREU THROW A BUCKET OF WATER OUTSIDE OF HIS CELL, HE WROTE A TICKET OF LEWD CONDUCT AND UNHYGIENIC ACT. CHARGES 101.20 AND 118.22, BUT IN THE HEARING, THE HEARING OFFICER C.T. T. ABATE ACTING CAPTAIN. HE OBSERVED THAT IN THE VIDEO TAPE OF THE ALLEGED INCIDENT WITH CO HOOVER, IT SHOW CLEARLY THAT C.O. HOOVER NEVER LOOKED IN IN TO MR ABREU CELL NEVER STOPPED FRONT OR NEAR MR CELL, THEN THE C.O. HOOVER ADMITTED THAT OTHERS COS TOLD HIM TO WROTE A FALSE TICKET OF LEWD CONDUCT AGAINST MR ABREU BECAUSE MR ABREU HAS WRITTEN MANY GRIEVANCES AGAINST THEM AND STAFF AND THROWING WATER OUTSIDE OF HIS CELL, THE CT ABATE THROW THE CHARGE OF LEWD CONDUCT 101.20 AND FOUND GUILTY TO MR ABREU OF THROW ONLY WATER. CHARGE 118.22. SO THIS IS ALSO A PROOF AND EVIDENCE THAT COS AND NURSES GAVE MR ABREU A LOT OF FALSE TICKETS IN RETALIATIONS.

23) MR DEUTSCH ALLEGED THAT AN EXPOSER SUIT PREVENT AN INMATE FROM EXPOSING HIMSELF AND COMMITTING ACTS OF SEXUAL HARASSMENT. HOWEVER MR DEUTSCH DON'T HAVE ANY RECORDS THAT THE SUIT WORK OR THAT HAS PREVENTED ANY INMATE FROM EXPOSING HIMSELF AND COMMITTING ACTS OF SEXUAL HARASSMENT AND DOCU DON'T HAVE ANY SUCH RECORDS TOO. THE SUIT DON'T PREVENT NOTHING IN ALL, IT REALLY PROVOKE THAT STAFF, C.O.S AND NURSES WRITE MANY FALSE TICKETS OF LOW CONDUCTS FOR JOSEPH FUNNY HARASSMENT RETALIATIONS DISCRIMINATIONS BECAUSE THEY KNOW IT SUIT HUMILIATE AND EMBARRASSMENT TO INMATES FROM OTHER INMATES AND STAFF/OFFICIALS. FOR EXAMPLE MR ABREU HE WAS PLACED IN THE SUIT IN THE YEAR 2014 TO THE PRESENT APRIL / 2018 IN THAT FOUR YEAR PERIOD DOCU OFFICIALS / STAFF HAS WRITTEN TO MR ABREU MORE TICKETS. THAT IN THE 16 YEARS THAT MR ABREU HAVE FROM 1998 TO 2014, SO HOW IT SUIT PREVENT EXPOSING OR SEXUAL HARASSMENT IF WHEN AN INMATE WEAR THE SUIT HE RECEIVE MORE TICKETS OF LOW CONDUCTS THAT WHEN THAT INMATE IS NOT IN THE SUIT. SO, THE SUIT DON'T WORK IT IS EASY TO KNOW WHY. FOR EXAMPLE WHEN AN INMATE GO TO COURT TRIAL, THE JUDGES AND DEFENSE LAWYERS ALWAYS TO RECOMMEND THAT INMATES USE REGULAR CLOTHES, AND NOT PRISON UNIFORM AND NO HANDCUFF & CHAINS BECAUSE IT WILL TO DISCRIMINATE TO THE INMATE IN THE EYES OF THE JURY. SO, THE SAME OR SIMILAR HAPPEN IN PRISON WHEN STAFF & OFFICIALS SAW TO ANY INMATE OR MR ABREU WEARING THE SUIT THEY WRITE MORE TICKETS OF LOW CONDUCTS IN DISCRIMINATIONS FOR KEEP THE INMATE IN THE SUIT AND IF AN INMATE ATTENDING TO THE HEARINGS IN A SUIT THE HEARING OFFICER TO THINK OR THOUGHT THAT THE INMATE IS GUILTY OF THE CHARGES EVEN IF THE VIDEO TAPES OR PROOFS OR WITNESSES SHOW THAT THE INMATE IS INNOCENT. AND POSSIBLY THE SAME HAS HAPPENED WHEN AN JUDGE SEE AN INMATE WEARING IT SUITS THEY IMMEDIATELY THINK THAT THE INMATE IS GUILTY REGARD TO THE PROOFS THAT HE SUBMIT OR PRESENT TO THE COURT

24) ADDITIONALLY MR ABREU WOULD LIKE TO ADD THAT THE REASONS WHY MR DEUTSCH DON'T HAVE SHOW TO THIS COURT ANY POLICY AND DIRECTIVE ABOUT THE DOCU EXPOSER SUIT ARE BECAUSE MR DEUTSCH PERFECTLY KNOW AND HAVE ALSO KNOWLEDGE THAT DOCU NEVER HAS APPROVED THE SUIT FOR TO

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be used in SHUs) (SPECIAL HOUSING UNIT) OR AND GENERAL POPULATION INMATE. DOCU OFFICIALS NEVER GET THE APPROVE OF THE N.Y.S. SECRETARY OF STATE OF THE NEW YORK LEGISLATIVE / N.Y.S. SENATE AND NEVER GET THE APPROVE OF THE N.Y.S. GOVERNOR. AND THERE IS ONLY A MEMORANDUM FROM N.Y.S. DOCU AUTHORITY THAT THE SUIT BE ONLY USED IN THE MENTAL HEALTH PROGRAMS SUCH AS BHM AND RHM PROGRAMS ONLY IN CERTAIN FACILITIES SUCH AS ATTICA CF, FIVE POINTS CF, SULLIVAN CF AND GREAT MEADOW CF. SO THIS NEVER WAS APPROVED FOR TO BE USED IN WENDU CF SHU, AGAINST THE SHU INMATE. WHEN MR ABRAHAM WAS TRANSFERRED TO GREEN HAVEN CF SHU AND UPSTATE CF SHU, THE PRISON OFFICERS AND SUPERINTENDENT TOLD AND ADVISED MR ABRAHAM THAT THEY ARE NOT AUTHORIZED TO USE THE SUIT IN THE SHU OR / AND GENERAL POPULATION BECAUSE DOCU NEVER APPROVED THE DIRECTIVE # 4939 INMATE EXPOSURE CONTROL. THERE IS ONLY A DRAFT DIR 4939 DATED 9/16/2010 THAT DOCU NEVER APPROVED FOR TO BE USED IN THE GENERAL POPULATION AND / OR SHU INMATE. TO THE PRESENT APRIL/2018, THE DIR 4939 NOT HAS BE APPROVED SO IT DON'T EXIST. SO MR ABRAHAM ALL THIS TIME WAS PLACED IN AN ILLEGAL UNLAWFUL AND UNCONSTITUTIONAL SUIT IN THE SHU(S). AND MR DEUTSCH AND DR KARANDY KNOW PERFECTLY ALL THIS AND THEY DON'T HAVE ANY PROOFS, ANY EVIDENCES, ANY EXHIBIT ANY DIRECTIVE 4939 INMATE EXPOSURE CONTROL BE APPROVED BY DOCU TO THE DATE

25) FOR LAST MR ABRAHAM WOULD LIKE TO REPORT TO THE COURT THAT HE DON'T HAVE RECEIVED ANY COPY OF THE DECISION AND ORDER OF THIS CASE OF JANUARY/2015. HE ADVISED TO MR DEUTSCH AND COURT CLERK OF THIS COURT OF ALL THIS, MR ABRAHAM DON'T HAVE ANY COPIES, ANY RECORDS, IN ALL OF HIS COMPLAINTS (ORIGINAL & COMPLAINTS) OR AND THE AMENDED COMPLAINT ANY COPIES OF PRIOR COURT ORDERS ANY DOCKETS SHEETS, ETC. BECAUSE ON 8/01/2017 FIVE POINTS CF OFFICIALS DESTROYED ALL THIS & SEVEN BAGS OF PAPERS SUCH AS SUBMITTED TO THIS COURT BY MR ABRAHAM AND HIS PROBATION COUNSEL IN THE YEAR 2017, IN THE CASE ABRAHAM V. FORDY. SO MR ABRAHAM ASK THIS COURT FOR COPIES OF ALL THE RECORDS FOR 'HE CAN BE OBL' TO LITIGATE THIS CASE, IN THIS COURT AGAINST THE DEFENDANTS.

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26) MR KARANDY, AND MR DEUTSCH ALLEGED THAT IN NO TIME MR ABREU COMPLAINING ABOUT RECTAL BLEEDING OR PAIN OR BACK PAIN, ETC. HOWEVER MR ABREU FILED MANY SICK CALL REGULARLY OR DAILY REPORTING ALL SUCH CONDITIONS IN HIS SICK CALL SLIP-REQUEST FORM. WHEN ON INTAKE, HE SICK CALL IN SITU. HE USE A SICK CALL SLIP REQUEST FORMS EXPLAINED HIS MEDICAL PROBLEMS SO MR ABREU, HE DONT HAVE ANY CONTROL OF WHAT THE NURSE REPORT OR NOT IN HIS MEDICAL CHART, & RECORDS, OR WHAT THE DOCTORS WRITE OR NOT. THEY ONLY WRITE THAT MR ABREU REFUSED TO WEAR THE 'SUIT' OUTSIDE OF HIS CELL, SO THEY WRITE THAT HE REFUSED SICK-CALL SERVICES AND MEDICATIONS WHEN REALLY MR ABREU NEVER REFUSED TO GO OUTSIDE OF HIS CELL OR TAKE HIS MEDICATIONS OR REFUSED SICK CALL SERVICES. THEY WERE WHO REFUSED TO SEE MR ABREU THEY WERE WHO REFUSED TO GIVE TO MR ABREU HIS MEDICATIONS EVEN IF MR ABREU WAS FULLY DRESSED WITH STATE GREEN PANTS, T-SHIRT & SHIRT SUCH AS MONDOTE OR REQUIRE THE 'SITU DIRECTIVE # 4933 & WANDER CF POLICY. THE SITU DIRECTIVE 4933, AND STATE REGULATIONS UNDER THE TITLE 7 NYCRR CHAPTER VI PART 300-305 & DIRECTIVE 4932. DONT MENTION NOTHING ABOUT EXPOSURE CONTROL SUIT 'FOR SITU INMATES OR /AND FOR SICK CALL SERVICES. ONLY IT REQUIRE PANTS T-SHIRT & SHIRT THAT IT. STATE UNIFORM. THE JUMPSUIT IT IS NOT A STATE APPROVED CLOTHES OR UNIFORM FOR TO BE USED IN STATE PRISON SITU (S)

ALSO SHORTLY MR ABREU HE WAS TRANSFERRED TO SULLIVAN CF SITU IN MARCH /2015 MR ABREU, HE WAS COMPLAINING THE SAME SYMPTOMS THAT HE WAS SUFFERING IN WANDER CF. SO MR ABREU HE WAS SCHEDULED FOR SURGERY OF HIS ANUS RECTAL 'HEMORRHOIDS (eg BLEEDING, PAIN, ETC & SCHEDULED FOR A RIGHT HAND SURGERY eg CARPAL TUNNEL, ETC. DIFFERENT PAINS MEDICATION FOR BACK & HAND SUCH AS NEURONTIN AND OTHERS MEDICAL TREATMENTS THAT WANDER CF DEFENDANTS WERE DENIED TO MR ABREU. SO, MR ABREU HEALTH NOT WAS GOOD., WHEN MR ABREU FILED THE INTENT SUITS (TWO CONSOLIDATED)

CONCLUSION

DEFENDANTS MOTION FOR TO REVOKE IFF STATUS SHOULD BE DENIED AND THE CASE RECHECKED FOR DISCOVERY PROCEEDING. >
 DATED: 4/16/2018 # 1211 RESPECTFULLY SUBMITTED: [Signature]

6:14-CV-06599

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) SS.:
 COUNTY OF ONEIDA)

Carlos Abreu, being duly sworn, hereby deposes and says:

That on this 04 day of APRIL, 2018, I served the within Plaintiff
OPPOSITION TO DEFENDANT'S MOTION FOR TO REVOKE
IFP STATUS

upon the individual(s) listed below, by placing true and exact copies of the same in properly addressed envelopes and depositing the same into the mail receptacle at the Marcy Correctional Facility to be mailed via the United States Postal Service to said party/parties listed below:

TO: PRO-SE OFFICE
CLERK OF THE COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
100 STATE STREET
ROCHESTER, N.Y. 14614

N.Y. ATTORNEY GENERAL
THE CAPITOL
176 BANY N.Y. 12224
ATTN: HIRSH DEUTSCH ESQ
ASSISTANT ATTORNEY GENERAL

COPY: HIRSH DEUTSCH ESQ
ASSISTANT ATTORNEY GENERAL
144 Exchange Blvd. Suite 200
ROCHESTER N.Y. 14614

Sworn to before me

this 4th day of APRIL, 2018

Michael J. Moore
 Notary Public of State of New York

Deponent Carlos Abreu # 99A3027
MARCY CORR FACILITY
BOX 3600
MARCY, N.Y. 13403

MICHAEL J. MOORE
 Notary Public - State of New York
 No. 01MO6170816
 Qualified in ONEIDA County
 Commission Expires 1-23-19

C. C. Price